

REMARKS

Entry of the foregoing and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments which follow.

Claims 14, 15 and 20-26 were pending in this application. In this response, claims 14, 25 and 26 have been amended. Thus, claims 14, 15 and 20-26 remain pending.

Support for the foregoing amendments can be found, for example, in at least the following locations in the original disclosure: the original claims and the specification, Abstract and para. [0033].

CLAIM OBJECTIONS

Claims 15 and 25 are objected for the reasons noted at paragraph 2 of the Official Action. Reconsideration of objection is respectfully requested in view of the amendments to the claims.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 14-15 and 21-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,634,843 to Payne (hereafter "*Payne '843*") in view of U.S. Patent No. 6,246,831 to Seitz et al. (hereafter "*Seitz et al.*") on the grounds set forth on page 3 of the Official Action. Claims 24-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Payne '843* in view of *Seitz et al.*, as applied to claim 14 above, and further in view of U.S. Patent No. 4,829,159 to Braun et al. (hereafter "*Braun et al.*") on the grounds set forth on page 5 of the Official Action. These rejections are respectfully traversed.

Claims 14 and 26, the only independent claims at issue here, have been amended to reference separate and equal power subsources. In the response to arguments, the Examiner

noted that such features were not previously in the claims, although arguments distinguishing the references discussed such features. Reconsideration of the prior arguments are requested in view of the amendment of this feature to the claims.

Specifically, *Payne '843* discloses two uneven (in power) heating elements on a cook-top so that the higher power one can be overdriven to give rapid heat-up or under-driven to give uniform heating. This disclosure includes joint/independent control of elements of different wattages. Rapid heat-up of two dissimilar loads is achieved. Thus, and in contrast to the rejected claims, *Payne '843* does not disclose separate and equal power subsources.

Seitz et al. discloses an instant flow-through fluid heater. *Sietz et al.* is cited for showing two equal resistive loads. The citation to *Braun et al.*, which discloses power splitting by controlling a phase angle, does not contribute to the combination in regard to the claimed separate and equal power subsources.

Even if properly combined, the rejection does not disclose the feature of claim 14 and claim 26 of separate and equal power subsources. Accordingly, because the rejection has not addressed all of the claim features, an obviousness rejection is improper. For at least the above noted reasons, reconsideration and withdrawal of the rejection are respectfully requested.

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Payne '843* in view of *Seitz et al.*, as applied to claim 14 above, and further in view of U.S. Patent Publication No. 2002/0101743 to Kallus et al. (hereafter "*Kallus et al.*") on the grounds set forth on page 4 of the Official Action. *Kallus et al.* is cited for the disclosure of a unity power factor. This disclosure does not contribute to the rejection, which still lacks a claimed

feature within its combination. Reconsideration and withdrawal of the rejection are respectfully requested.

The dependent claims not directly addressed above distinguish over the cited references for at least the same reasons as the independent claims from which they depend.

CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

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By: 

Jeffrey G. Killian
Reg. No. 50,891

CUSTOMER NO. 055694
DRINKER, BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
T: 202-842-8800
F: 202-842-8465